



# Oil Spill Program Update

The U.S. EPA's Oil Program  
Center Report

Office of Emergency and Remedial Response  
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## PEPCO Oil Spill at Chalk Point, Maryland

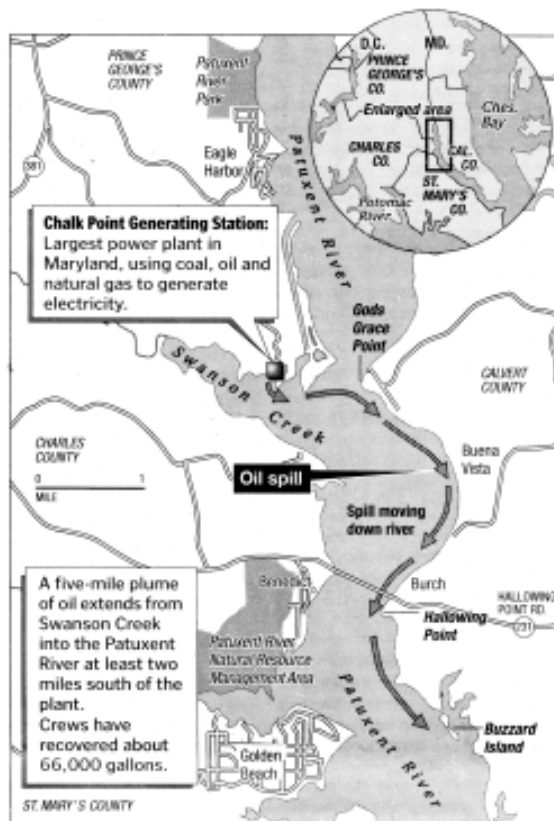
The worst oil spill in Potomac Electric Power Company's (PEPCO) 104-year history took place on April 7, 2000, at the Chalk Point power plant in Aquasco, Maryland when an oil pipeline that feeds the plant ruptured, releasing 129,000 gallons of fuel oil into Swanson Creek Marsh. The pipeline stretches for 51.5 miles along Maryland's Patuxent River shore.

PEPCO notified EPA of the spill on the night of Friday April 7 and began its response by placing containment booms around the creek. Three EPA on-scene coordinators (OSCs) were dispatched to the site early Saturday morning. Initial response efforts were hampered by a

shortage of equipment, such as the proper type of booms and drum skimmers to remove floating oil. Response was also hampered by weather—a heavy storm with 50-knot winds descended on the area Saturday night and swept much of the remaining oil over the booms, affecting a 17-mile stretch of the Patuxent River and shoreline.

## About The Update

EPA's *Oil Spill Program Update* is produced quarterly, using information provided by EPA Regional staff, and in accordance with Regions' information needs. The goal of the Update is to provide straight-forward information to keep EPA Regional staff, other federal agencies and departments, industries and businesses, and the regulated community current with the latest developments. The Update is distributed in hard copy and is available on the Oil Program homepage at [www.epa.gov/oilspill](http://www.epa.gov/oilspill).





*The Patuxent River spill injured hundreds of animals.*

The Chalk Point spill response is among the most extensive in Region 3 history. EPA dispatched a total of six OSCs, two community involvement coordinators, the removal program section chief, and various other officials to the scene to assist in overseeing cleanup efforts. The initial cleanup effort involved skimming free-floating oil from the river channel, and cleaning the affected shores. This effort ran through the end of April, when the focus switched to long-term remediation, such as cleaning damaged shoreline properties. As of mid-May, the lead OSC expected to continue overseeing onsite cleanup through early July, ensuring that the long-term efforts would not cause greater environmental damage

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than the incident itself. The Patuxent River is now open for all recreational and commercial activities.

The 45-acre marsh surrounding Chalk Point is a natural wildlife and fish habitat, and is particularly

environmentally sensitive. The site also contains sheltered tidal flats and freshwater marshes and swamps, in which seven endangered and threatened species reside. An estimated 30 percent of the spilled oil soaked into the marsh. The spill killed more than 100 birds, reptiles, and mammals and injured or sickened hundreds more. Many of the animals affected by the spill were rescued by the Chesapeake Wildlife Sanctuary for cleanup and treatment, and returned to the area.

Some of the concerns of Maryland state officials and residents are a possible drop in tourism and the safety of seafood consumption as a result of the spill. Local residents have reported fish kills, but investigations do not show a link between the kills and the oil spill. In late April, state officials declared fish, crab, and other shellfish safe for consumption, but cautioned that if fish or shellfish caught in the Patuxent smell like petroleum, they should be returned to the water.

The Department of Transportation,

Office of Pipeline Safety (OPS) closed the pipeline and issued a Corrective Action Order (CAO) on April 13, 2000. The CAO called for a review of PEPCO leak detection and repair procedures, inspection of existing equipment, expansion of the scope of the current operating procedures, extensive personnel training in emergency procedures, and review of personnel qualifications. The CAO was later amended to include OPS's concerns about a 1997 inspection log notation showing that a pipeline repair took place near the crack. Although there is a record of repair in this area, no repair material was located during the excavation following the spill. Although a final report is not expected for a year, OPS is concerned that PEPCO may have bypassed meters and pressure gauges during maintenance preparations, failed to properly monitor for leaks, and did not keep experienced welders on hand to repair the pipeline. OPS has proposed that PEPCO re-examine its emergency preparedness plans, and look at the relationship

As a result of concerns about possible lapses in maintenance and spill prevention practices in pipeline operations nationwide, OPS proposed federal legislation that strengthens the pipeline standards currently in place for high consequence areas. Corrosion and physical damage to the pipeline are the main causes of pipeline ruptures. The legislation would require integrity testing every 10 years, and would cost the industry approximately \$3.3 million each year. Public interest groups would prefer testing more often.

between pipeline failures and the lack of preventive measures taken.

Officials and citizens have criticized PEPCO's response as too slow and lacking in resources. A class action suit has been filed on behalf of those affected by the incident, and other lawsuits continue to follow. PEPCO's initial response was specifically targeted by EPA, who charged that confusion surrounded PEPCO's containment efforts and contributed to the extent of the post-storm contamination.

### **Selection Guide for Oil Spill Applied Technologies**

The EPA Region 3 Spill Response Countermeasures Work Group and the Region 4 Regional Response Team have developed a *Selection Guide for Oil Spill Applied Technologies*. The Selection Guide provides on-scene coordinators (OSCs) and other response decision-makers with easy-to-use technical information on a variety of countermeasure technologies. It is a compilation of information and guidance on the use of response actions that are relatively unfamiliar to OSCs and other responders.

The Selection Guide is useful in both inland and coastal areas. It is intended to support spill response actions as well as planning. The information provided in the Selection Guide is also intended to assist decision-makers in evaluat-

ing vendors' requests to use their products.

The Selection Guide consists of two volumes:

**Volume I, the Decision-making Selection Guide**, is designed to provide response decision-makers all information to conduct evaluations of a preliminary technology category, individual product, or technology during planning or incident-specific use.

**Volume II, Guidance Procedures**, contains Region-specific implementation/operation plans for spill countermeasures technologies.

A five-day workshop was held at the U.S. Coast Guard Reserve Training Center in Yorktown, Virginia from April 17 to April 21, 2000, to finalize the Selection Guide. Participants, representing the various levels of oil spill response decision-making, came together and revised the document to address the needs of all decision-makers. Workshop participants formed a development committee which will meet again to determine a plan for maintaining and updating the Selection Guide, and to specify requirements for an electronic version to be posted on a web site at some future date. The immediate results of the workshop are a revised edition of the guide available in paper copy and PDF format. Although the current PDF edition will not be interactive, it will be accessible, readable, and printable from a web site.

For more information, please contact Linda J. Ziegler, Chair, Spill Response Countermeasures Workgroup, Regional Response Team III, at (215) 814-3277.

### **Midnight Dumping at Mud Creek**

This article describes the investigation and clean-up of two petroleum contaminated sites in Iowa, A-1 Septic Services in Altoona, and Iowa Sanitation Environmental Services, Inc., located in Southeast Des Moines. It also describes the eventual prosecution of Gilbert Thomas, the operator of both businesses.

#### ***A-1 Septic Site***

From 1989 to 1991, Gilbert G. Thomas operated A-1 Septic Services and regularly hauled septic wastes to the Des Moines Wastewater Reclamation Authority (DMWRA). In late 1991, part of the DMWRA facility was evacuated due to explosive vapors. Evidence suggests that Thomas pumped fuel wastes into the facility. His septic waste hauling license was revoked.

Following a fire at the A-1 Septic site in late 1993, the Iowa State Fire Marshall inspected the property and found the site to be out of compliance with at least seven regulations of the Iowa Fire Code regarding fuel storage tanks. Thomas was ordered to comply with the regulations.

Sometime after midnight on May 8, 1998, a private citizen reported strong petroleum/chemical odors on Highway 6 east of Altoona, Iowa. Investigators from the Iowa Department of Natural Resources (IDNR) discovered a petroleum slick in an unnamed tributary to Mud Creek. The slick was traced upstream to the A-1 Septic site. IDNR had received several previous reports of oil sheens in Mud Creek but none of these





could be definitively traced to the A-1 Septic site.

When IDNR investigated the A-1 Septic site, it discovered several pools of petroleum wastes, and dead trees near a drainage area that fed a creek running through the property. Investigators also noticed what appeared to be an attempt to contain the contaminated drainage area by covering it with soil. Investigators also observed PVC pipe drains in Thomas' truck garage, and another PVC pipe end in the drainage area 500 feet northeast of the truck garage towards Mud Creek. When asked, Thomas denied that the two PVC pipe ends were connected. It was later learned that the pipes were indeed connected. Enough evidence had been collected to raise suspicions of criminal activity. A search warrant was obtained by the Iowa Attorney General's Office, and co-served with the EPA's Criminal Investigations Division.

One of the more important objectives at this site was to discover the exact location of all buried PVC pipe and to determine the extent of subsurface soil contamination. Eventually over 750 feet of perforated and non-perforated 4-inch and 6-inch buried PVC pipe were unearthed revealing a clandestine disposal system that extended from the truck garage to approximately 50 feet from Mud Creek.

Sample data showed that soils near the perforated PVC pipe, and non-perforated but leaking PVC pipe, were contaminated at levels over 25 times the regulatory limit for total extractable hydrocarbons. Over 13,000 tons of contaminated

soils were hauled off-site in 865 truck loads. This amount of contaminated soil would fill one football field to a depth of about 13 feet. More than 1,750 gallons of hazardous petroleum wastes and 2,280 gallons of non-hazardous petroleum wastes were removed.

#### ***Iowa Sanitation, Inc. Site***

Under the Resource Conservation and Recovery Act (RCRA), EPA conducted compliance inspections at a second site, Iowa Sanitation and Environmental Services, Inc., in 1994 and 1995. This site was also operated by Thomas, but owned by his brother. A notice of violation was issued to Iowa Sanitation on April 16, 1996.

Initial emergency removal actions began in late July 1998. They included removal of 6,000 gallons of liquid hazardous wastes from a poorly constructed concrete settling tank. Disposal of on-site waste included the removal of 42,000 gallons of ethanol and butanol contaminated wastewater from on-site storage tanks; pumping and proper disposal of 17,025 gallons of hazardous waste oil from the nine on-site storage tanks; pumping of 4,361 gallons of hazardous waste (which included trichloroethylene and oil containing low levels of PCBs) from two storage tanks; and excavation, transportation, and disposal of 7,431 tons of petroleum contaminated soils/sludges (over 450 truck loads).

On-site activities conducted in November and December of 1998, included removal of a concrete settling tank; removal and stabilization of tank bottom sludge; removal of contaminated soil; sampling of contaminated ground-

water; the disposal of contaminated water from the area of excavation within the groundwater table; and backfilling of the excavation area and site restoration.

During the excavation of contaminated soils, a PVC pipe was uncovered by EPA that, with the help of officials from DMWRA, was determined to be illegally connected to the sewer line. Sections of this PVC pipe had sludges caked on the inside walls and were similar to those wastes found on-site previously.

Also during the excavation, groundwater discovered at a depth of 22 feet was found to be contaminated. Decisions regarding possible groundwater remediation are being reviewed by EPA at this time.

#### ***Post-Removal Assessments***

Based on the removal confirmation data from both sites, it appears that the on-site source(s) no longer presents a threat for continued migration to groundwater, surface water, soil exposure or air pathways. Although a release to surface water had occurred at the A-1 Septic site, the analytical data indicated no residual sediment contamination in the creek. The contaminated soil sources have been mitigated by the clean-up actions, and only low levels of contaminants in subsurface soils exist on either site. At the A-1 Septic site, no groundwater contamination was discovered during the investigation. Screening of surrounding drinking water wells indicated no petroleum contamination.

### **Prosecution**

By late spring of 1999, the State of Iowa charged Thomas with seven individual aggravated environmental crime misdemeanors, each of which carried up to a two-year prison sentence and from \$25,000 to \$50,000. He also was indicted on the felony count of Ongoing Criminal Conduct-Continuing Criminal Enterprise, a Class B felony which carries a minimum sentence of 25 years in prison. This count was based on the allegation that Thomas told customers that the wastes were being transported and disposed of properly, which in fact they weren't, and charged his customers thousands of dollars for the fraudulent service.

Gilbert Thomas was convicted of all eight counts related to illegal hauling, illegal disposal, illegal sewer connection, and illegal storage. He plead guilty to a Class C felony—Theft by Deception. He was sentenced to 10 years in prison and fined \$100,000. Prosecutors stated that this unusually stiff sentence fit the magnitude of his acts. "It's the kind of thing that should deter other waste haulers from doing the same thing," said Douglas Marek, Deputy State Attorney General. The cleanup, prosecution, and investigation at the two sites will cost taxpayers about \$1.2 million.

For more information, contact Jereme Altendorf, EPA Region 7, at (913) 551-9714.

### **New Efforts to Improve Pipeline Safety**

Vice President Al Gore recently announced an effort to increase pipeline safety requirements, raise fines for safety violations, and

provide more information about pipeline safety to the public. The effort would also allow states to regulate pipeline construction more stringently and to become more involved in pipeline accident investigation. This initiative, introduced on April 11, 2000, specifically targets EPA's environmentally sensitive and highly populated regions.

In an effort to address the concerns of citizens who feel uninformed about pipelines that run through and near their towns, the initiative proposes requiring pipeline operators to make maps, manuals, and emergency response plans available to local residents. To ensure operator compliance with

safety guidelines, the initiative would raise the fine for spills resulting from an over-pressurized pipeline to \$500,000—20 times the current penalty.

Congress is likely to reauthorize the 1990 Pipeline Safety Act during its 2000 session. The Administration is hopeful that this pipeline safety initiative will be part of that reauthorization. However, it appears to be a low priority on Congress' list.

Regardless of Congressional action, federal agencies will continue efforts to improve pipeline safety. A February 4, 2000 Memorandum of Understanding (MOU) between the Department of Transportation

Vice President Gore's call for improvements in pipeline safety follows a number of serious accidents that served to heighten awareness of the dangers and environmental threats from pipelines that carry petroleum and petroleum products.

- June 10, 1999, a ruptured pipeline in Bellingham, Washington, released 277,000 gallons of gasoline. The fumes, and the resulting explosion were responsible for three deaths, millions of dollars in property damage, severe environmental damage, and disruptions in local water supplies.
- The worst oil spill in Kentucky history occurred on January 27, 2000, when a pipeline ruptured and released nearly 500,000 gallons of crude oil. The spilled oil is a lingering threat to the Kentucky River, which provides drinking water for the Town of Lexington.
- On February 5, 2000, 67,000 gallons of oil leaked from a crude oil pipeline, polluting the John Heinz National Wildlife Refuge in Pennsylvania. The spill affected many of the severely endangered species living nearby.
- In March 2000, a spill of about 564,000 gallons of unleaded gasoline containing methyl tertiary butyl ether (MTBE) by Explorer Pipeline Co. in Hunt County, Texas contaminated Lake Tawakoni, fouling about one-third of Dallas Texas' drinking water supply.
- On April 7, 2000, a broken pipeline spilled 129,000 gallons of oil into a marsh at Chalk Point, Maryland. (See story on page 1.)

Although the number of pipeline spills has been on the decline since 1990, the average volume of spills has increased. DOT's Office of Pipeline Safety has found a 38 percent increase in the amount of oil spilled from 1996 through 1999, when compared to 1991 through 1995.

(DOT) and EPA is an example of improving regulatory cooperation for better pipeline safety performance. The MOU clarified jurisdictional issues over storage tanks at transportation-related and non-transportation-related facilities. It also spelled out joint goals for EPA's Office of Emergency and Remedial Response and DOT's Office of Pipeline Safety.

### **Sixth International Conference on Effects of Oil on Wildlife**

Tri-State Bird Rescue & Research, Inc. hosted the Sixth International Conference on Effects of Oil on Wildlife on March 30-31, 2000, in Myrtle Beach, South Carolina. The conference focused on planning, prevention, preparedness, and working cooperatively with stakeholders to minimize the consequences of oil spills to wildlife and to maximize planning efforts to ensure the most efficient, effective response possible. Discussions involved standards of care for oiled wildlife, contin-

gency planning efforts across the U.S. and around the world, and results of long-term post-release monitoring studies. There were over 150 attendees from 12 countries and 5 continents.

Mark Struthers McBride, the mayor of Myrtle Beach, gave a welcome address and thanked all involved in last year's mystery oil spill in Myrtle Beach. According to the mayor, the source of the spill was never found. Close to 100 miles of coastline were affected; from Wilmington, North Carolina to Charleston, South Carolina. Over 200 birds were impacted by this incident. With no response facility available in the immediate area, businesses, private citizens and the community pulled together to create a wildlife rehabilitation center. One important component of this cooperation, is the passion and dedication demonstrated by this community to protect wildlife. Several local volunteers who worked on the 1999 spill, also assisted in the organization of this year's conference.

In his keynote address, Ron Britton of the U.S. Fish & Wildlife Service, pointed out that there are seven basic challenges facing wildlife rescuers and rehabilitators: 1) maintaining the drive and dedication needed to protect wildlife; 2) problem solving; 3) determining goals and obtaining funding to achieve these goals; 4) planning to ensure best response; 5) integrating prevention into the planning process; 6) practicing training guidelines and being prepared; and 7) evaluating and learning lessons from past oil spills. Britton also noted that the Third Biennial Freshwater Spills

Symposium's major theme, the development of partnerships and coordination of prevention, planning and response efforts among federal agencies, states, tribes, local communities and industry, can be applied to maximize preparedness by wildlife rescuers and responders.

Tri-State demonstrated manual bird washing and Elf Atochem North America, Inc., demonstrated a bird washing machine which is designed to perform a thorough and quick (7 minute) washing of oil soaked birds in order to minimize trauma. In cooperation with Yves Rocher Laboratories, ELF's research teams have also come up with a surfactant (detergent) specially formulated for this purpose.

Other sponsors of the event included The Humane Society of the United States, the International Fund for Animal Welfare, The Water Quality Insurance Syndicate, Clean Caribbean Cooperative, Texaco, Chevron, Sunoco, and API, among others.

For more information on this conference, please contact Tri-State Bird Rescue & Research, Inc. at (302) 737-7241, or at 110 Possum Hollow Road, Newark, Delaware 19711.

### **National Conference on Aboveground Storage Tanks**

The Third Annual National Conference on Aboveground Storage Tanks was held May 9-11, 2000 in Tampa, Florida. The meeting brought together leaders of industry and a wide variety of state, local, and federal regulators to discuss issues involving aboveground storage tanks



*Workers minimize trauma to injured animals*





(ASTs). The conference provided a forum to inform the oil community on the latest developments in spill prevention, notify industry of the latest regulations, and to share views on the best practical methods for oil spill prevention.

The conference included talks by industry and regulators and covered a variety of topics. Presenters addressed regulatory issues, inspection and maintenance of tanks, secondary containment issues, and factors that promote tank corrosion and how to mitigate them.

Regulators informed industry of current and new regulations and standards for ASTs and pipelines. Members of industry explained new technologies developed for preventing oil spills. Participants were also informed of how individual companies have dealt with compliance issues and regulations. Two open panel discussions addressed secondary containment in ASTs and pipelines. During these panels, a variety of views were presented and regulators and industry leaders were able to express their opinions on these topics.

The keynote address was given by David Lopez, Director of the EPA Oil Program Center (OPC). Lopez spoke about two themes in OPC activities. First, OPC looks at what elements are necessary to minimize oil pollution. Second, it tries to build relationships. OPC and industry need to have strong ties in order to minimize spills and their impacts. Success is achieved through an integrated approach which includes prevention, preparedness and response.

The first step toward improved performance is better prevention. There is a strong need to get stakeholders involved in order to gain a better understanding of how all interested parties can make regulations work. On the same note, it is necessary to ensure compliance with the policies that are in place. Furthermore, EPA needs to increase its focus on inspections, new technologies, and further outreach.

The second step is preparedness. All oil facilities must make sure an emergency plan is viable, should a spill occur. To do this they must remain active and continue training so that a plan can be implemented at any time. Also, stakeholders should be involved in making sure a facility is prepared.

The final step is response. During a response, it is important that the roles and responsibilities of individuals are clearly defined and that the individuals are knowledgeable and capable of performing the response action. Government agencies and responsible parties should both be included in the response. Other federal agencies should be brought in as necessary. There must be a

continuing dialogue among all involved parties to continue improving response capabilities.

Lopez concluded the keynote speech by noting that forums such as the AST conference are important. They allow industry and regulators to meet, exchange ideas, and identify needs before a situation occurs. There is no room for complacency when it comes to preventing spills. There is room for improvement and a need to continue to do more to prevent oil spills.

### **Bellingham Pipeline Spill Update**

More than a year has passed since a pipeline ruptured along Whatcom Creek in Bellingham, Washington spilling more than 250,000 gallons of gasoline. The rupture, which occurred June 10, 1999, resulted in a thick cloud of gasoline vapors which overcame one man who fell into the creek and drowned. The vapors exploded, leading to the deaths of two boys who were playing near the creek.

The cause of the spill is still under investigation and a long section of the pipeline remains closed while the Department of Transportation (DOT) continues its inquiry into the maintenance and operations practices of the Olympic Pipe Line Company, the owner of the pipeline. Pipeline operators, who inexplicably shut off, and then restarted pumps after the rupture occurred, continue to refuse to talk with inspectors invoking their Fifth Amendment rights against self incrimination.

Inspections following the accident have revealed a number of defects



*The exact cause of the Bellingham pipeline discharge is still unknown.*

in the line that require further inspection and repairs. Olympic must excavate and inspect any damage that appears to have been caused by an outside force. The DOT's Office of Pipeline Safety has instructed Olympic to inspect the pipeline using devices known as "smart pigs" that travel through the pipe looking for damage and weak spots. Several local representatives, however, are convinced that Olympic should use pressure tests to ensure the integrity of the entire pipeline.

On June 6, DOT announced a penalty of \$3.05 million against Olympic for violations of pipeline safety regulations. In levying the fine, DOT cited a failure to inspect defects in the area of the rupture and operating in an unsafe condition. Olympic detected 279

defects during inspections in 1996 and 1997. Some of these were in the area of the break but were not excavated for visual inspections—fewer than 10 percent of the defects were excavated. Olympic records show that an engineer came to the site to conduct a visual inspection but did not perform the inspection because the site was a difficult area to access.

For more information about the events leading up to the spill, and the response effort following the spill, see the July 1999 and October 1999 issues of the Oil Spill Program Update.

### **Citizens' Council Examines Dispersed Oil Toxicity**

In its on-going effort to investigate technologies for responding to oil

spills, the Prince William Sound Regional Citizens' Advisory Council recently released a white paper titled *Dispersed Oil Toxicity Issues: A Review of Existing Research and Recommendations for Future Studies*. The paper contains a review of existing research on the subject and recommendations for future studies. The council views the use of chemical dispersants on oil spills with caution and supports scientific research to help answer outstanding questions.

For example, the Council notes that there is little understanding about how chemically dispersed oil behaves in the water column from the surface of the sea to the bottom, or how it affects the species that live there. And virtually nothing is known about how dispersed oil is affected by sunlight, although it is known to increase the toxicity of un-dispersed crude oil. This process is called photoenhancement and substances susceptible to it are called phototoxic. The council is particularly interested in the role of photoenhancement in the fate of chemically dispersed oil in the ocean.

Photoenhanced toxicity of un-dispersed oil has been documented in a number of cases. Various studies have shown the toxicity of hydrocarbons and other compounds increased from two-fold to a thousand-fold in the presence of ultraviolet light similar to sunlight. Photoenhanced toxicity to aquatic organisms may occur in two ways: through photomodification or photosensitization. In photomodification, the ultraviolet light changes the chemical in the water to make it more toxic. In



photosensitization, an aquatic organism eats the oil, then the oil inside the organism absorbs ultraviolet energy, causing tissue damage in the organism. Evidence suggests that the photoenhanced toxicity of oil occurs through photosensitization rather than photomodification.

In preparing the white paper, the Council did not find any published studies that consider the photoenhanced toxicity of oil in Alaskan waters, or that evaluate the photoenhanced toxicity of chemically dispersed oil in any kind of sea water. The council believes this is a large gap in the understanding of the use of chemical dispersants. To help promote research in this area, the council has asked Dr. Mace Barron, an expert in the field of photoenhanced toxicity, to prepare a peer-reviewed paper on the potential for photoenhanced toxicity of oil in Prince William Sound and Gulf of Alaska waters.

In a presentation to the Council in December, Dr. Barron explained the potential for photoenhanced toxicity of spilled oil in the council's region. North Slope crude has been shown to be phototoxic in laboratory tests. Sufficient ultraviolet radiation may penetrate the water of Prince William Sound and the Gulf of Alaska to produce photoenhanced toxicity. However, no research has been done to evaluate this potential. Dr. Barron will elaborate on research experiments and studies that could answer these questions. In addition to photoenhanced toxicity, other research recommendations are contained in the paper on the toxicity of dispersed oil. Other possible subjects include

testing the effectiveness of the dispersants stockpiled in Alaska, toxicological testing of these dispersants, and a dispersants risk analysis.

To learn more about these recommendations, view the white paper on the Council's web site at [www.pwsrcc.org](http://www.pwsrcc.org), or request a copy from the Anchorage office.

## Overview of EORRA

The Oil Pollution Act (OPA) applies to vegetable oils and animal fats, as well as petroleum-based oils. Collectively known by the oil industry as edible oils, vegetable oils and animal fats share a number of properties with petroleum-based oils and are addressed in some of the same laws and regulations. However, edible oils also have unique properties and are addressed by the Edible Oil Regulatory Reform Act of 1995 (EORRA).

Similar in chemical structure to petroleum-based oils, edible oils, when spilled, cause many of the same undesirable effects on the environment that petroleum oils do. Edible oils may coat organisms, often leading to oxygen depletion or hypothermia. They may be toxic to organisms, destroy food supplies, and produce odors. They can also degrade shorelines, wreak havoc on water treatment plants, and be persistent in the environment.

EORRA requires most Federal regulations and guidance documents (excluding those of the Food and Drug Administration and the Food Safety and Inspection Service) to use separate classifications for petroleum-based oils and non-petroleum oils, including

edible oils. The language of future legislation is therefore required to be clear as to whether it applies to edible oils, petroleum oils, or both.

OPA addresses both petroleum and non-petroleum oils. It requires facilities to prepare Facility Response Plans (FRPs) if they store certain quantities of edible oils or if a spill from the facility might cause significant and substantial harm to the environment. An FRP outlines a contingency plan to be followed, should oil be discharged to the environment. Under OPA, the FRP requirements for edible oil are more flexible than those for petroleum facilities. EORRA provisions that amend the Oil Pollution Prevention Response regulation (40 CFR Part 112) have led EPA to propose a specific methodology to handle, store, and transport edible oils when planning response actions. This notice was published in the Federal Register on April 8, 1999. EPA accepted comments on the proposed rule and the advanced notice of the proposed rule making through June 9, 1999 and July 7, 1999, respectively. A final rule is pending.

## Other Oil Spills in the News

### *Crude Oil Spill at Miller Branch Creek*

Approximately 80 barrels of crude oil made its way into a creek bed in Stiles, Louisiana, on February 17, 2000. The spill resulted from a broken pipeline that had snapped when a tree fell onto it. Approximately 200 yards of the creek bed, which flows into the James Bayou, was affected. The James Bayou flows in Caddo Lake which is



*Fallen tree breaks pipeline at James Bayou.*

located two miles south of the spill.

By February 18, 2000, 30 barrels of the crude oil had been collected. The responsible party (RP) for the spill intends to power wash the creek bed so that product will flow into collection points where oil can be collected using a vacuum truck.

Another spill for the same RP had occurred two days earlier not far from the Stiles site. Approximately 300 barrels of crude oil was discharged into a creek when a bulldozer ran over a pipeline. The RP plans to repair the pipeline and bury it three feet below the mud line as soon as the cleanup process is completed.

***Jet Fuel Spill at Plantation Pipeline Facility, Fairfax County, Virginia***

On January 10, 2000, EPA was notified of a jet fuel spill from the Plantation Pipeline facility located in Newington, Fairfax County,

Virginia. The report did not indicate the volume of oil released, however, the oil reached Accotink Creek through one of its tributaries. Accotink Creek is a tributary to the Potomac River. The cause of the spill is attributed to a leaking product interface detection device. An EPA Region 3 team, along with representatives from the Virginia Department of Environmental Quality and the U.S. Fish and Wildlife Service, will be assessing damage to the ten-acre wetland area that was affected by the spill. Plantation Pipeline Company's cleanup contractor installed an earthen underflow dam on Accotink Creek which prevented the spill from reaching the Potomac River.

**Attention AST Owners:  
Tank Failures Lead to  
Investigation of Tank  
Erection Company**

Response to a January 8, 2000 liquid fertilizer release from a one

million-gallon tank in Cincinnati, Ohio led authorities there to investigate other tank failures involving the Carolyn Equipment Company. The company was involved in the construction of several other tanks that have subsequently failed in Indiana, Iowa, Michigan, and Ohio.

A local AST registry has been formed that will aid in the identification of ASTs that have been erected by the company. Tanks manufactured by the company should be tested to insure that the ASTs are structurally sound. For more information, contact Michael Kroeger, Assistant Fire Chief, Cincinnati, at (312) 353-1505.

The company operated out of Ohio at several locations with different names:

Carolyn Equipment Company  
(1986 - March 26, 1990)  
1416 High Street  
Hamilton, OH

Nationwide Tank Company  
(March 26, 1990 - March 22, 1995)  
1416 High Street  
Hamilton, OH

Nationwide Tank Company (July 1997 - unknown)  
10992 Reed Hartman Highway  
Cincinnati, OH

The company may have also used the name J&D Erection.

United States  
Environmental Protection  
Agency (5203G)  
Washington, DC 20460

Official Business  
Penalty for Private Use \$300